(2) No prosecution under this Regulation shall be instituted except with the previous sanction of the Government, or of some officer authorised by the Government in this behalf.

Records of census not open to inspection or admissible in evidence in certain proceedings.

12. No person shall have a right to inspect any book, register or record made by a census-officer in the discharge of his duty as such officer or any schedule delivered under Section 9, and notwithstanding anything to the contrary in the Indian Evidence Act, 1872, no entry in any such book, register, record or schedule shall be admissible as evidence in any civil proceeding or any proceeding under Chapter XII or Chapter XXXVI of the Code of Criminal Procedure, 1904.

Temporary suspension of local enactments and rules as to mode of taking census in municipalities.

13. Notwithstanding anything in any enactment or rule with respect to the mode in which a census is to be taken in any municipality, the municipal authority may, at the time appointed for the taking of the census of Mysore during the year 1921, cause the census of the municipality to be taken wholly or in part by any method authorised by this Regulation.

Power in regard to expenses.

14. Notwithstanding anything in any enactment or rule, in regard to municipal, local or village funds, the Government may direct that the whole or any part of any expenses incurred for anything done in accordance with this Regulation may be charged to any municipal, local or village fund constituted for, and on behalf of, the area within which such expenses were incurred.

Power to make rules.

15. (1) The Government may make rules for carrying out the purposes of this Regulation.

(2) In particular, and without prejudice to the generality of the foregoing power, the Government may make rules providing—

(*a*) for the appointment of census-officers and of persons to perform any of the duties of census-officers or to give assistance towards the taking of a census and for the general instructions to be issued to such officers and persons,

(*b*) for the enumeration of persons employed on railways and their families and of other classes of the population for whom it may be necessary or expedient to make special provision, and

(*c*) for the enumeration of persons travelling on the night when a census is taken.

M. KANTARAJ URS,
Dewan.

REGULATION No. III OF 1920.

A Regulation to provide for the inspection and management of Steam-boilers and Prime-movers in Mysore.

(Received the assent of His Highness the Maharaja on the 29th day of April 1920.)

Preamble.

Whereas it is expedient to provide for the inspection and management of Steam-boilers and Prime-movers; His Highness the Maharaja is pleased to enact as follows :—

Short title, commencement and extent.

1. (1) This Regulation may be called the Mysore Steam-boilers and Prime-movers Regulation, 1920.

(2) It shall come into force on such day and shall extend to such places and from such date as the Government may, by notification in the official Gazette, direct.

Limitation of application of Regulation.

(3) But nothing in this Regulation shall be deemed to apply to any locomotive engine, boiler or prime-mover used upon or appertaining to any railway within the meaning of that word as defined in section 3, clause 4, of the Mysore Railways Regulation, 1894, or to any boiler used exclusively for domestic purposes at atmospheric pressure or to any boiler or prime-mover used in any vehicle or class of vehicles which the Government may, by notification, specify.

527

Definitions.

2. In this Regulation, unless there is something repugnant in the subject or context:—

"Boiler." "Boiler" includes any vessel used for generating steam under pressure and any apparatus closely attached thereto and affected by the steam pressure;

"Prime-mover." "Prime-mover" includes any steam-engine, steam-hammer, fly-wheel, first driving shaft or pulley attached to any such engine, and every appurtenance necessary for the safe and efficient working of a prime-mover;

"Owner." "Owner" includes any agent or hirer using any boiler or prime-mover.

Appointment of Inspectors.

3. (1) The Government may, at any time after the passing of this Regulation, appoint such persons to be Inspectors as it thinks fit, and suspend or remove any person so appointed.

(2) The persons so appointed shall, within such local area as the Government may direct, exercise the powers and perform the duties conferred and imposed by or under this Regulation on an Inspector.

Use of boiler without license prohibited.

4. After such day as the Government may, by notification in the official Gazette, fix in this behalf, no boiler shall be used unless a license authorising its use has been granted under this Regulation and is in force.

Provision in respect of continued use.

Provided that the owner of a boiler who holds in respect thereof a license as aforesaid, and who, before the expiry of such license, gives to the Inspector for the local area in which the boiler is situated, not less than thirty days before such expiry, notice of his intention to continue to use the same afterwards, may continue to use or permit the use of the boiler, as allowed by the said license, until it is examined in pursuance of such notice.

Owner to give notice of intention to use a boiler.

5. (1) The owner of any unlicensed boiler shall, before using the same, give notice of his intention to use such boiler to the Inspector for the local area within which it is situated.

Inspector to appoint a day for the examination of the boiler.

(2) On receipt of the notice the Inspector shall appoint a day and time, after sunrise and before sunset, for the examination of the boiler. The day so appointed shall be a day, if the boiler is situated in the Kolar Gold Fields or the cities of Bangalore and Mysore, not later than one week; and if situated elsewhere, not more than thirty days from the day on which notice is received.

Examination by the Inspector.

(3) On the day and at the time so appointed, the Inspector shall carefully examine the boiler and every part thereof; and the owner or person in charge thereof shall afford to the Inspector all reasonable facilities for the examination, and all such information regarding the boiler as he may reasonably require.

Payment of fees for examination.

(4) Every person giving a notice under this section shall simultaneously pay the fees prescribed for the examination by a rule made under section 24.

Inspector may require owner to alter boiler.

6. If, on making the examination under section 5, the Inspector is of opinion that the boiler requires, in view to safe working, any alteration or addition, he shall refuse to grant a license until the alteration or addition is made, and shall serve on the owner of the boiler within forty-eight hours of his examination a written notice of his refusal, specifying the alteration or addition which, in his opinion, is required.

When Inspector to grant license.

7. When the Inspector is satisfied that the boiler is in good condition and not so exposed as to be likely to be dangerous, he shall give to the owner thereof a written license, signed by him, in the form prescribed in Schedule A hereto annexed or in a form to the like effect.

Period of license.

No such license shall remain in force for more than twelve months.

License to state certain particulars.

8. Every license granted under this Regulation shall state the period for which it is to continue in force, and shall cease to

be in force on the expiration of that period. Such license shall also state the pressure beyond which the boiler may not be worked.

Boiler to be registered and marked with registry number.

9. On granting a license under section 7, the Inspector shall register the boiler in such form as the Government may prescribe and shall allot to it a number to be called the registry number of the boiler. The registry number shall be communicated to the owner, and shall, within such reasonable period as the Inspector may direct, be permanently marked upon the boiler by the owner thereof so as to be plainly visible and in such manner as Government may prescribe.

Owner to produce license when called upon.

10. (1) The owner of any boiler, who shall have obtained a license therefor shall, at all reasonable times during the period for which such license is in force, be bound to produce the said license when called upon to do so by the Chief Inspector of Mines or by the District Magistrate or by any person generally or specially authorised in writing by the Chief Inspector of Mines or the District Magistrate to demand its production.

Transfer of license on change of ownership.

(2) A person who becomes owner of a boiler during the time for which a license therefor is in force shall be entitled to receive the license from the preceding owner and shall be subject to the provisions of clause (1) of this section.

Notice of alteration or renewal in boiler to Inspector.

(3) If at any time during the period for which a license has been granted under section 7 or section 13, any structural alteration or important renewal is made in any part of the boiler to which such license relates, it shall be the duty of the owner of such boiler to give notice in writing of such alteration or renewal to the Inspector of Boilers before the same is begun.

Report of accidents to Inspector by owner or person in charge.

11. (1) It shall be the duty of every owner of, or person in charge of, the boiler to report in writing to the Inspector of boilers within twelve hours of its occurrence every accident to the boiler or to any apparatus attached thereto which is calculated to weaken the strength of such boiler or to render it liable to explode.

(2) Every such report shall contain a true description of the nature of the accident and of the injury thereby caused sufficient to enable the Inspector of Boilers to judge of the gravity of the accident.

(3) The owner of, or person in charge of, the boiler shall be bound to answer truly to the best of his knowledge and ability every question put to him in writing by the Inspector of Boilers as to the cause, nature and extent of the accident.

Revocation and suspension of license.

12. Any person authorised by the Government in this behalf may revoke or suspend any license granted under this Regulation in respect of ony boiler when he has reason to believe:—

(*a*) that the license has been fraudulently obtained, or has been granted erroneously or without sufficient examination; or

(*b*) that the boiler in respect of which it has been granted is not in good condition or has, since the granting of the license, sustained injury; or

(*c*) that the registry number is not marked upon the boiler as required by this Regulation.

Appeal against refusal, etc., of license.

13. (1) The owner of any boiler may appeal from any order made under this Regulation refusing to grant, or revoking or suspending, a license.

Presentation of appeal.

(2) The appeal shall within one calendar month from the day on which the owner received the order appealed against, be presented in person or otherwise to the Magistrate of the District in which the boiler is situate.

Issue of summonses in connection with appeal.

(3) The District Magistrate shall, within fifteen days of the receipt of the appeal, publicly enquire into and determine the appeal and shall have power to issue summonses for the attendance of witnesses and the production of documents, and the provisions of the Code of Criminal Procedure, 1904, shall, so far

as applicable, apply to such summonses and the persons so summoned.

Method of hearing appeal.

(4) The District Magistrate shall summon to his assistance, in such manner as the Government may direct, two competent assessors with the necessary practical knowledge and experience; and such assessors shall attend and assist accordingly.

Procedure in case of successful appeal.

(5) If the District Magistrate is satisfied that the owner is entitled to the license, he shall grant a license in such form as the Government may, by rule, prescribe, or shall cancel the order revoking or suspending the license, as the case may be. He shall further direct that the expenses of the appeal incurred by the appellant, to such amount as may seem reasonable to him, shall be reimbursed from the public funds.

Procedure in case of unsuccessful appeal.

(6) If the District Magistrate is of opinion that the order appealed against is right, he shall dismiss the appeal; and he may award any sum not exceeding one hundred rupees to be paid by the appellant as costs; any sum so awarded shall be recoverable from the appellant as if they were arrears of land revenue.

Inspector may enter place or building.

14. An Inspector may at any time, for the purpose of inspecting a boiler, enter into any place or building where he has reason to believe that the same is being used.

Government may require certificates of competency.

15. The Government may, by notification in the official Gazette, direct that, from a date specified and within any defined local area, no boiler shall be used unless it is in the direct and immediate management and charge of a person certified under this Regulation, as hereinafter provided, to be competent for the charge thereof.

Government to make rules for conduct of examinations for certificates and to appoint examiners.

16. Subject to the provisions of Section 18, certificates of competency for such charge shall be granted only after examinations conducted under rules framed by Government under Section 24 (*d*) of this Regulation.

The examiners shall be appointed by Government; provided that in no case shall an Inspector appointed under this Regulation be nominated as an examiner.

Certificates may be of different classes.

17. Certificates of competency may be of different classes and shall qualify the holders thereof to manage or be in charge of boilers of such capacities or kinds as may be prescribed in the rules framed under Section 24 (*c*).

Possession of certain other certificates to entitle holders to certificates under this Regulation.

18. (1) If any person holds a certificate of competency granted under the provisions of any law in British India, or in the United Kingdom or in any British Colony or any other place approved by Government, he shall be entitled to receive a certificate of competency as aforesaid, without undergoing examination.

(2) The certificate granted under this section shall be of such class as the examiners appointed under Section 16, on a consideration of the nature of the certificate held, shall determine.

Certificates of service may be granted to persons possessing proved practical skill.

19. (1) The examiners may, in the case of any person who satisfies them that he has served for a period of not less than three years in actual charge and management of a boiler and that he is possessed of adequate practical skill for such work, grant to him a certificate of service to the effect that he is qualified to the like extent as the holder of a certificate of competency of any class which the Board in such certificate of service specifies.

(2) A certificate of service so granted shall have the same effect as a certificate of competency granted under this regulation.

Cancellation or suspension of certificate after enquiry.

20. (1) If, on an enquiry conducted under this Regulation, it shall be established to the satisfaction of Government that the holder of any certificate granted under this Regulation is incompetent, or is addicted to drunkenness, or has been guilty of any serious misconduct or negligence, the Government may cancel such certificate, or suspend the same for such time as it shall deem fit.

Pending enquiry holder to surrender certificate.

(2) The holder of such certificate shall surrender it pending the result of the enquiry, and, should he fail to do so, the Government may cancel the certificate by notification in the official Gazette.

Duplicates of certificates may be given.

21. Whenever the holder of a certificate granted under this Regulation proves to the satisfaction of Government that such certificate has been lost or destroyed, the Government may direct that a duplicate of the same shall be issued; such duplicate shall have the same validity as the original certificate.

Penalties.

22. (1) Any owner of a boiler, who fails to report as required by section 10, any structural alteration or renewal thereof; and

(2) Every owner of, or person in charge of, any boiler who—

(*a*) uses that boiler in contravention of the provisions of Section 4 or in contravention of the terms of the license granted under Section 7, or

(*b*) fails to produce a license when called upon to do so under Section 10 of this Regulation, or

(*c*) within a local area defined under Section 15 allows any boiler to be used when not in the direct and immediate management and charge of a person duly certified as competent under this Regulation, or

(*d*) fails to report, as required by Section 11, any accident of the kind mentioned in that section, and

(3) every person, who prevents an Inspector from entering, under section 14, any place or building,

shall be punished with a fine which may extend to five hundred rupees.

Charges not to be brought after six months.

23. No charge of any offence under this Regulation shall be brought against any person after the expiration of six months from the date of the commission of the offence.

Power to make rules after publication.

24. The Government may, at any time after the passing of this Regulation, after previous publication, make rules consistent with this Regulation for all or any of the following purposes (that is to say):—

(*a*) for prescribing the qualifications, powers, duties, mutual relations and official subordination of Inspectors and of officers authorized to revoke and suspend licenses under section 12;

(*b*) for fixing the fees payable on account of examinations made by Inspectors under this Regulation at rates not exceeding those prescribed in Schedule B;

(*c*) for regulating the grant and record of certificates of competency and of service;

(*d*) for the conduct of examinations for such certificates and for regulating the fees to be charged for admission to the same;

(*e*) for providing for enquiry into an allegation of drunkenness, misconduct or negligence on the part of the holder of a certificate of competency or service;

(*f*) generally for carrying out the purposes of this Regulation.

Regulation may be applied to prime movers by notification.

25. The Government may, by notification, apply so much of this Regulation as relates to the licensing, inspection or management of boilers to prime-movers generally, or to prime-movers of any particular class, in any local area in which this Regulation is, at the time, in force.

SCHEDULE A.

(SEE SECTION 7.)

Form of license.

Name of owner	Registry number and description of boiler and age	Power	When and where made	When and where last repaired	Time for which this license is to be in force	Maximum pressure at which the boiler may be worked	Remarks

I, the undersigned, certify that I have examined the boiler above described, and, to the best of my judgment, it is in good condition, and is not so exposed as to be likely to be dangerous.

Inspector.

SCHEDULE B.

(SEE SECTION 24 (b).)

Maximum rates of fees leviable for examinations of boilers.

	Rs.
1. For the examination of each boiler not exceeding 10 horse-power nominal ...	15
2. For the examination of each boiler exceeding 10 but not exceeding 20 horse-power nominal ...	20
3. For the examination of each boiler exceeding 20 but not exceeding 30 horse-power nominal ...	30
4. For the examination of each boiler exceeding 30 but not exceeding 50 horse-power nominal ...	40
5. For the examination of each boiler exceeding 50 horse-power nominal ...	50

M. KANTARAJ URS,

Dewan.

REGULATION NO. IV OF 1920.

A Regulation to provide for the regulation of traffic and preservation of the surface of public roads and places in Mysore.

(Received the assent of His Highness the Maharaja on the 29th day of April 1920.)

Whereas it is expedient to provide for the regulation of traffic and the preservation of the surface of public roads and places in Mysore, His Highness the Maharaja is pleased to enact as follows :—

Short title, extent and commencement.

1. (1) This Regulation may be called the Mysore Highway Regulation, 1920.

(2) It shall extend to the whole of Mysore, and

(3) It shall come into force in such local areas and from such dates as Government may by notification in the Gazette direct.

Definition.

2. In this Regulation, unless there is something repugnant in the subject or context.

(1) "Public roads" shall include all roads, bridges, carriageways, causeways, footways, bridleways,

(*a*) over which the public have a right of way, or

(*b*) heretofore maintained out of public funds, or

(*c*) which are declared public roads by the provision of any law for the time being in force,

but not vested in any local authority, and

(2) "Places", includes vehicle stands, embankments, or ramps, camps or refuges forming approaches to public roads, not vested in any local authority.